IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS.JUSTICE G.ROHINI

WRIT PETITION NO : 5642 of 2004

Between:

1. Nand Kishore Agarwal, S/o. Ghansyamdas Agarwal, 46 years, resident of H.No.8-2-700/A, Road No.12, Banjara Hills, Hyderabad.

2. Surender Kumar Agarwal, S/o. Ghansyamdas Agarwal, 46 years, resident of H.No.8-2-700/A, Road No.12, Banjara Hills, Hyderabad.

.... PETITIONERS

AND

1 State of Andhra Pradesh, represented by its Secretary, Ministry of Municipal Administration, Secretariat Buildings, Hyderabad.

2. Municipal Corporation of Hyderabad, represented by its Commissioner, Tank Bund Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, direction or order more particularly a writ of Mandamus declaring the action of the 2nd respondent in refusing to consider the building application of the petitioner, dated 29.05.2003 for according permission for construction of multi storeyed complex in premises Municipal No.8-2-686/7/1 to 4, situated on Road No.12, Banjara Hills, Hyderabad, forming part of Old S.No.129/48 (Revised Survey No.334) of Shaikpet Village, Golconda Mandal, Hyderabad Urban District as illegal, arbitrary, amounting to abdication of statutory duty cast upon the 2nd respondent.

The Court made the following :

O R D E R:

This mater is listed ‘for orders’ on the office note, dated 17.12.2004. The office note shows that in pursuance of the orders of this Court, dated 13.10.2004, notices have been sent to the petitioners on 28.10.2004 and the same were served. However, the petitioners did not choose to engage any other Counsel and nobody filed vakalat on behalf of the petitioners so far. Obviously, the petitioners are not interested in prosecuting the writ petition.

Accordingly, the writ petition is dismissed for non-prosecution. No costs.

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G.ROHINI.J.,

Dt.21.12.2004

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To

1 The Secretary, State of Andhra Pradesh, Ministry of Municipal Administration, Secretariat Buildings, Hyderabad.

2. The Commissioner, Municipal Corporation of Hyderabad, Tank Bund Road,

Hyderabad.

3.2CCs to the G.P. for Municipal Administration, High Court of A.P., Hyderabad.

4.2CD copies